

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

**NICHOLAS ACOUSTICS & SPECIALTY**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 3:08CV145WHB-LRA**

**UNITED STATES OF AMERICA**

**DEFENDANT**

**ORDER OF RECUSAL**

Because Harris H. Barnes, III and the firm of Barnes, Broom & Associates, P.A., counsel of record for Plaintiff, are currently representing the undersigned in a legal matter, the Court feels that Canon 3C(1) of the Code of Conduct for United States Judges is brought into play. That Canon states that a judge shall disqualify himself when the judge's impartiality might reasonably be questioned. The undersigned believes that situation is applicable in this case and hereby recuses himself.

The Clerk of the Court is hereby directed to reassign this case to another Judge in accordance with the Court's practice and procedure.

SO ORDERED this the 27th day of May, 2009.

s/William H. Barbour, Jr.

UNITED STATES DISTRICT JUDGE